

#23 Notice of Appeal
Wm Murray
6/13/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Timothy L. Blucher

Appl. No. 09/491,639

Filed: January 27, 2000

For: **Contour Fit Pan Liner for a Food Service Pan**



Confirmation No. 8842

Art Unit: 3727

Examiner: Stephen J. Castellano

Atty. Docket: 2102.0010000 (As Amended)

Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences - Small Entity

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated **February 13, 2002**, in which claims 1-5, 9, 11 and 28-37 were finally rejected. The fee (for a qualified small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our Check No. 35511. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Michael B. Kay
Attorney for Applicant
Registration No. 33,997

Date 6/13/02
1100 New York Avenue, N.W., Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

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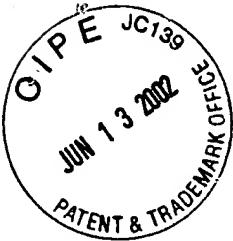
06/17/2002 AWDNDAF1 00000123 09491639

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160.00 CP



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*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas

June 13, 2002

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INTERNET ADDRESS:
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Commissioner for Patents
Washington, D.C. 20231

Art Unit: 3727

Re: U.S. Non-Provisional Patent Application
Appl. No. 09/491,639; Filed: January 27, 2000
For: **Contour Fit Pan Liner for a Food Service Pan**
Inventor: Timothy L. Blucher
Our Ref: 2102.0010000 (As Amended)

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences - Small Entity;
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Request for Change of Attorney Docket Number;
5. Return post card; and
6. Our Check No. 35511 for \$215.00 to cover:
\$160.00 for Notice of Appeal fee (37 C.F.R. § 1.17(b)); and
\$ 55.00 for extension of time fee (37 C.F.R. § 1.17(a)).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

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Commissioner for Patents
June 13, 2002
Page 2

necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael B. Ray
Attorney for Applicant
Registration No. 33,997

Enclosures

MBR/agj

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SKGF Rev. 2/15/02 dcw

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 215.00)

**Complete If Known**

Application Number	09/491,639
Filing Date	January 27, 2000
First Named Inventor	Timothy L. Blucher
Examiner Name	Stephen J. Castellano
Group Art Unit	3727
Attorney Docket No.	2102.0010000 (As Amended)

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number **19-0036**

Deposit Account Name **Sterne, Kessler, Goldstein & Fox P.L.L.C.**

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	\$55.00
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	\$160.00
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
SUBTOTAL (1) (\$)		0.00	

2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims 34 - 34** =	0 X \$9.00	= \$0.00
Indep. Claims 8 - 8** =	0 X \$42.00	= \$0.00
Multiple Dependent	\$140.00	= \$0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203
102	84	202
104	280	204
108	84	209
110	18	210
Claims in excess of 20		
Independent claims in excess of 3		
Multiple dependent claim		
**Reissue independent claims over original patent		
**Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2) (\$)		0.00

** or number previously paid, if greater. For Reissues, see above

Other fee (specify): **SUBTOTAL (3) (\$)** **215.00**Other fee (specify): **SUBTOTAL (3) (\$)** **215.00***Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)** **215.00**SUBMITTED BY **Complete (if applicable)**

Name (Print/Type)	Michael B. Ray Attorney for Applicant	Registration No. (Attorney/Agent)	33,997	Telephone	202-371-2600
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Signature		Date	6/13/02
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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